

<b>Committee</b>	<b>Mayor and Cabinet</b>		<b>Item</b>	
<b>Title</b>	Response to: Provision for the LGBT+ Community in Lewisham Safer Stronger Communities Select Committee December 2017			
<b>Wards</b>	All			
<b>Contributors</b>	Chief Executive, Executive Director for Resources & Regeneration			
<b>Class</b>	Open	<b>Date</b>	27 June 2018	

## Purpose

1. This report sets out the response to the views and comments arising from the Safer Stronger Communities Select Committee's review entitled: "Provision for the LGBT+ Community in Lewisham".

## Recommendations

2. It is recommended that the Mayor:
  - i) Approves the response from the Executive Director for Resources and Regeneration to the comments of the Safer Stronger Communities Select Committee.
  - ii) Agrees that this report should be forwarded to the Safer Stronger Communities Select Committee.

## Policy Context

3. Shaping Our Future, the Council's Sustainable Community Strategy includes the following priority outcomes which shape borough's approach to the welfare of its citizens:
  - Ambitious and Achieving – where people are inspired and supported to fulfil their potential.
  - Safer – where people feel safe and live free from crime, antisocial behaviour and abuse
  - Empowered and Responsible – where people can be actively involved in their local area and contribute to supportive communities.
  - Healthy, Active and Enjoyable – where people can actively participate in maintaining and improving their health and wellbeing.
  - Dynamic and Prosperous – where people are part of vibrant localities and town centres, well connected to London and beyond.
4. The Council's priorities describe the specific contribution that the Council will make to the delivery of the Sustainable Community Strategy priorities. For this report, the relevant Council priorities are as follows:

- Community leadership and empowerment
- Young people's achievement and involvement
- Caring for adults and older people
- Decent homes for all
- Safety, security and visible presence
- Active healthy citizens
- Inspiring efficiency, effectiveness and equity

## **Background**

5. At its meeting on 13 December 2017, the Safer Stronger Communities Select Committee considered the final report on the Provision for the LGBT+ Community in Lewisham. Following the Select Committee meeting, a referral was made to advise Mayor and Cabinet asking that the Executive Director for Resources and Regeneration respond to the review's recommendations. The above-mentioned responses are set out below:

### **Referral: Recommendation 1**

6. That the London Borough of Lewisham should resource, produce and adopt a Lewisham LGBT+ Community Action Plan. The Action Plan should be annually reported back to the SSSC throughout the next administration.

#### **Context:**

7. That in recognition of the broad and diverse nature of this topic, the fact that Lewisham has 2.4 times the national average of LGB residents and the limited time and resource available through Scrutiny, that we should draw on similar authorities' approaches, in developing in partnership with the LGBT+ Community and other key stakeholders an action plan that should align with the Councils Comprehensive Equality Strategy.

#### **Response**

8. The approach whereby separate action plans are developed for distinct equalities strands was deployed for several years, prior to the introduction of the Equality Act 2010. However, though well-intentioned, this approach had the unintended consequence of fragmenting Lewisham's equality response into separate silos and creating what amounted to 'a hierarchy of inequality'. As such, and following the introduction of the Equality Act, the Council took a view that a single equality framework represented the most effective way forward to address equalities issues. This approach has been underlined by the current Comprehensive Equalities Scheme, which focuses on five major Council strategies and which essentially seeks to ensure that equalities is embedded seamlessly within and across the business system. Alongside this, a Council-wide review of equalities monitoring and impact analysis was launched last year, geared towards improving the collection and effective utilisation of monitoring data for service improvement. A programme of targeted service initiatives is now planned –

primarily focusing on front-facing services. In promoting equality, the challenge facing the Council is to ensure that existing frameworks for decision-making and deployment of resources, operate as effectively as they need to and not create additional systems to do what existing systems should do.

## **Referral: Recommendation 2**

9. That the Mayor should work to ensure that through the Council's internal and external communications, the Council includes positive and celebratory stories and imagery that reflect all protected characteristics, including LGBT+ people, with these woven through specific interest pieces, and also through more generic topics.

### **Context:**

10. Although the report highlights areas where inequalities exist, it is important to consider the LGBT+ community, and all communities, particularly those with protected characteristics, in terms of a "community asset model", empowering and facilitating them to use their inherent skills as a resource to form sustainable, community owned solutions.

### **Response**

11. Over the past year we have worked hard to promote the incredible contribution that LGBT+ communities make to life in Lewisham. In February 2018 we published details about LGBT History month on our website homepage throughout the month. We also shared messages about LGBT+ History Month 2018 on Facebook and Twitter with thousands of our residents. Following the elections on 3 May 2018 we will work with the Mayor and Cabinet to develop a communications plan which will share positive and celebratory stories about Lewisham's LGBT+ communities with our staff and residents.

## **Referral: Recommendation 3**

12. That a consistent and 'whole-organisation' approach (including via contractors/commissioned partners) to equalities data gathering/monitoring be implemented.

### **Context:**

13. Equalities monitoring was found to be lacking on some casework systems, and in routine questions to service users. This should be corrected at the earliest opportunity. Monitoring questions should be aligned to latest ONS 'questions and guidance' on equality and diversity across all protected characteristics and be omitted only on the rarest exceptions. The Council should ensure it is clear to service users why the information is being sought, and how it will be used. Collecting this information will inform and enhance the decision-making process within the borough and the allocation of resources and service provisions.

## Response

14. In October 2017, the Council launched a major review of its approach to equality monitoring and impact analysis. The review, which has been overseen by the Council's Corporate Equalities Board on behalf of the Executive Management Team, has taken a fundamental look at how best drive service improvement through the effective use of equalities data as well as innovative ways to engage services and service providers in that effort. The aim is to ensure that the Council's policy is exemplified, not just by what it espouses, but by the consistency of practice and ways of working demonstrated by staff and others who operate on its behalf.

### **Referral: Recommendation 4**

15. Service provision across the Council should look at the "whole person" and consider multiple characteristics when ensuring the best options for individuals. This may necessitate reviews of screening questions.

#### Context:

16. Service provision across the Council should look at the "whole person" and consider multiple characteristics when ensuring the best options for individuals. This may necessitate reviews of screening questions 6 as well as additional learning and development for staff to understand any barriers or issues that their service users/customers may face.

## Response

17. In February 2018, following the corporate policy review of equality, the Executive Management Team agreed a new and more robust approach to the gathering and analysis equalities data for the purposes of service assessment and provision. Building upon the existing approach (which already looks at multiple characteristics) additional questions relating to caring responsibilities, language spoken and income status were added to the corporate survey. This approach has been further strengthened by new requirements for equality analysis assessment, which now challenge services to describe the '*service user journey*' that could be impacted by a decision. This process will enable services to better understand, ahead of time, how and to where a service user might be displaced and how best to mitigate this as part of an effective joined-up, cross-Council response. In conclusion, however, whilst the Council will continue to use the best information available to it; neither residents nor service users are obliged to provide equalities data – nor does the Council have any right to demand it.

### **Referral: Recommendation 5**

18. That the Council's workforce should match where possible the community it serves, consideration should be given by the Mayor on how to identify any protected characteristics where this is not the case, and the causes for it, and seek to improve the levels of representation.

## Context:

19. 1.8% of LBL staff identify as being LGB on staff surveys (para 9.2) and 2% of the UK population identify as LGB (ONS, Sexual Identity, UK: 2016). The Lewisham Residents' Survey (2015) identified 4% of Lewisham's population as being LGB. In terms of having a workforce that reflects the community it serves, Lewisham's workforce figure is therefore below the national and local estimated LGB population.

## Response

20. The introduction of the new Oracle system means that Lewisham will be able to encourage more existing employees to complete protected characteristics data. This will be actioned later in 2018 when a self-serve option is made available, which will enable all employees to go online to their employee record and record any protected characteristics. Internal communication will encourage employees to carry out this activity. This is an activity we can only enable and encourage as ultimately it is up to the employee to declare information. We already have higher declarations than the benchmark of Leicester County Council. A further review of Lewisham's data will be undertaken with a comparison to London once this exercise has been completed.

## Referral: Recommendation 6

21. That during staff induction, new staff should be informed about the different staff forums available and HR should include new starter information/staff packs with clear information and signposting about support and staff forums. Councillors also should receive copies of the staff pack for information. Equalities training should be mandatory for all Councillors, and where appropriate for staff. Human Resources should look at the best practice provided by Leicester County Council and apply it locally in consultation with the LGBT+ staff forum. This should include producing: a "Managing LGBT+ Staff Guide"; auditing Council policies to be more LGBT+ inclusive (i.e. family leave, and removing gender-based pronouns); and creating a pan-organisation network of forums to support and join up good practice and joint LGBT+ initiatives.

## Context:

22. Paragraph 9.26. The End of Life Care Policy where views from the LGBT staff forum were sought and used to help shape policy.

## Response

23. The current induction for new employees includes an online staff pack. This details the staff groups and forums available and is open to all new and existing employees. In addition to this welcome pack, all new employees are invited to Coffee with the Mayor, a monthly gathering of senior managers, the Mayor and representatives from the staff groups to meet with and welcome new employees.

to Lewisham. There is presently no equalities resource within HR to match the Leicester Council approach to LGBT+. Consideration needs to be given to have dedicated resource in this area as organisations that are exemplars will have dedicated people and resource allocated.

### **Referral: Recommendation 7**

24. That the LGBT+ Staff forum and other staff forums (and the staff that facilitate them) be given the time and resources to bring their communities' interests and knowledge as a resource to embed across the Council. The Council should see these forums as a rich resource for canvassing opinion on policies and proposals and should introduce processes to support and embed this across the Council.

#### **Context:**

25. Paragraph 9.26. The End of Life Care Policy where views from the LGBT staff forum were sought and used to help shape policy.

#### **Response**

26. Staff forums have time to meet and discuss specific issues which affect their community. HR currently consult on draft policy and guidance with staff groups where relevant, e.g. the Disability Staff Forum recently reviewed new disability and discrimination elearning.

### **Referral: Recommendation 8**

27. That the Council should adopt a system where there is an elected member appointed Council Lead/Champion for each protected characteristics under the Equalities Act 2010. The appointment should be made through Full Council.

#### **Context:**

28. Through corporate policy, the Leicestershire County Council has developed a strong Equalities and Diversity Strategy with a high level of commitment from the Council Leader and the Cabinet Lead for equalities issues. There was a culture of everyone being responsible and every Council department had a representative on the Equalities Board which also included representatives from all staff forums and trade unions. The culture was embedded across the organisation and was highly visible. The positive benefits were also highlighted and recent staff surveys had shown that 91% of staff felt that the Council was committed to Equalities.

#### **Response**

29. The Mayor will appoint a Member Champion for equalities at the next Full Council meeting who will work alongside the Cabinet Lead for equalities to ensure that equalities issues are kept at the forefront of Council business. The Member Champion will also work alongside the Cabinet Lead for equalities taking a lead

role in the community by giving voice to Lewisham's strong and diverse LGBT community.

## **Referral: Recommendation 9**

30. That the Council should ensure there is a specific joint strategic needs assessment (JSNA) for the LGBT+ community. This review by the Safer Stronger Select Committee should be used as part of the evidence base. The Health and Wellbeing Board should be instructed to consider this as an urgent priority, making use of the evidence from this review.

### **Context:**

31. The Committee were concerned that there was a lack of evidence on the LGBT+ Community in the Joint Strategic Needs Assessment (JSNA) given the complex health and wellbeing needs of this community and the vital role the JSNA has in the commissioning of services.

### **Response**

32. We will instruct the Health & Wellbeing Board to consider a Joint Strategic Needs Assessment of the needs of the LGBT+ community as an urgent priority, and recommend that the Board's JSNA steering group, which is chaired by the Director of Public Health, considers it at its next meeting. The Board will recommend that the JSNA steering group uses the review by the Safer Stronger Select Committee, the evidence contained within it, and the examples of good practice LGBT+ needs assessments from elsewhere.

## **Referral: Recommendation 10**

33. The Committee also noted that not all Equalities Act protected characteristics had a specific JSNA needs assessments. The Committee felt that the Mayor should also look into this further, to ensure commissioning is based on the needs of all residents.

### **Context: (10 and 11)**

34. From feedback received during the evidence sessions and from research undertaken by the LGBT+ Foundation; NHS service users identified significant barriers to accessing LGBT+ inclusive healthcare provision in Borough. The Committee were impressed with the LGBT Foundation's, Royal College of GPs endorsed, 'Pride in Practice' quality assurance mark for primary care services.

### **Response**

35. Appendix F of the Lewisham JSNA guidance on completing a JSNA on any topic describes how protected characteristics should be considered. We will ask the

Health & Wellbeing Board to ensure that this guidance is adhered to for all JSNAs going forward.

### **Referral: Recommendation 11**

36. That the Council facilitates a meeting with the Lewisham clinical commissioning groups (CCG's), the LGBT+ Foundation and other key stakeholders, with the aspiration of Lewisham being the first London Borough to launch the 'Pride in Practice' or similar LGBT+ health quality assurance scheme.

#### Response

37. The Director of Public Health has already contacted the LGBT Foundation to seek advice on how a council and CCG can support local GP practices to achieve the 'Pride in Practice' award. Individual GP practices apply directly to the LGBT Foundation for the award, but we will explore with the Foundation how we can promote and support the scheme locally.

### **Referral: Recommendation 12**

38. That to begin to tackle the issue of LGBT+ substance misuse, the council should review and take lessons from the recommendations outlined in the National LGB Drug and Alcohol Database "Part of the Picture" Briefing Sheet for Commissioners and Policy Makers and Department of Health funded London Friend's "Out of your mind" research, and advocate for other health partners to do similarly.

#### Context:

39. It was of concern that LGB People are more likely than their heterosexual peers to partake in alcohol and substance misuse. The Committee heard how some jointly commissioned services were being delivered at considerable distance from the Borough and that future commissioned services outside of Borough should make an assessment of accessibility and cost to users, given the evidence from Metro about the LGBT community facing poorer income and employment outcomes.

#### Response

40. All substance misuse service for Lewisham residents are based within the borough. These services are:

- the main complex needs service delivered by CGL which has base on Lewisham High Street and a range of outreach provision including at Lewisham Hospital, Lewisham Police Station and a range of appropriate community settings



- the shared care service delivered by Blenheim CDP in conjunction with 8 GPs across the borough which two located in each of the health and social care neighbourhoods
- the young person's health and wellbeing service delivered by Compass whose main based is in Catford but has outreach at a range of accessible locations across the borough.

41. Unfortunately the Part of the Picture Briefing sheet for commissioners was unable to be located and therefore this response is based on a review of a range of other guidance and an assessment of the current provision against those standards.

42. All services are commissioned to meet the needs of the LGBTQ community in Lewisham and meeting the needs of minority groups also take a priority in the Substance Misuse Treatment Plan 2018 – 2020, which aims to raise the awareness of LGBTQ service provision, improve pathways into specialist services and reduce harm from problematic substance misuse. CGL are Stonewall endorsed and are a Stonewall Diversity Champion and are also ranked in the Stonewall Workplace Equality Index. There are Diversity and Inclusion champions in each service who are currently exploring the need for specific LGBTQ service user groups.

43. All services work to LGBTQ specific guidance around service delivery as well as specific documents such as the Neptune Guidance/Research: Club Drug Use among Lesbian, Gay, Bisexual & Trans (LGBT) People (2016) and Public Health England (PHE) publications such as Promoting the health and wellbeing of gay, bisexual and other men who have sex with men (2015) and PHE Commissioning support packs which have guidance around LGBTQ engagement and chemsex support.

44. To raise awareness of LGBTQ provision, commissioned services deliver Sexuality and Substance Misuse Training to Lewisham's workforce with a focus on chemsex and referrals pathways i.e. Antidote/Metro and, where appropriate, The Havens.

45. Services use London Friend and refer into Stonewall and other counselling services specific to LGBTQ individuals when needed and there are specific access points to services including 1-2-1 therapies, detox and rehab pathways.

### **Referral: Recommendation 13**

46. That the Mayor should ask the Council's Public Health Team to carry out a review of LGBT facing sexual health services in the borough. This should include, where appropriate, focus groups with LGBT+ communities to ascertain why so many choose to access services out of Borough and to better understand their views of LB Lewisham commissioned health services in the borough. An action plan should be generated to help LB Lewisham and where appropriate NHS partners to improve services to better meet needs.

Response

47. The Public Health Team has, in response to a recent council motion, now completed a survey of residents (with specific reference to LGBT residents) accessing sexual health clinics in and outside the borough. The results are being analysed, and will contribute to the forthcoming sexual health strategy and JSNA. The survey invited respondents to attend a focus group and these are now being arranged. The findings from these focus groups will also inform the strategy and the future commissioning of services.

### **Referral: Recommendation 14**

48. That the Mayor and Council seek to support the LGBT+ Community by setting a clear Council aspiration for attracting and supporting LGBT+ services to the Borough and, where appropriate, protecting LGBT+ spaces through planning policies and other instruments available to it. Should appropriate LGBT+ operators come forward, the Council should give significant consideration to using community assets to enable the provision of an LGBT+ centric community space.

#### **Context:**

49. The Committee had concerns about the lack of spaces for the LGBT+ community, the closure of LGBT+ spaces in the Borough over recent years, and the impact and need for the provision of such spaces, for both adults and children.

#### **Response**

50. The Planning Service are beginning the review of the Council's Local Plan which will set out the aspirations for the development of the Borough and will seek to promote and control development, including appropriate uses, throughout the Borough. Through this process, it will be possible to consider if and how LGBT+ venues can be supported and protected.

51. The Cultural and Community Development Service work with all community groups to support the establishment of services in the borough and would welcome early discussions with appropriate LGBT+ operators to explore their needs and how best these might be met.

### **Referral: Recommendation 15**

52. That the following reports be reviewed by the Public Health Team and other key departments to evaluate whether findings can be incorporated into Council policy, and that of partner organisations: the DoH/Public Health England endorsed LGBT+ Public Health Outcomes Framework companion; The LGBT Adult Social Care Outcomes Framework Companion and Public Health England's research on promoting the health and wellbeing of gay and bisexual men and other men who have sex with men (MSM).

## Response

53. We will recommend that these reports and their implications for Lewisham should form a key evidence base for the JSNA.

### **Referral: Recommendation 16**

54. When receiving reports on the Safer Lewisham Plan, the Committee request that a specific sub-report is included on hate crime statistics affecting the LGBT+ community as well as all other communities with protected characteristics.

#### Context:

55. The Committee understands that the LGBT+ community are disproportionately affected by crime compared to the population as a whole.

## Response

56. The Council recognises the importance of this recommendation and where it can access the detailed data it will endeavour to provide this information.

### **Referral: Recommendation 17**

57. That the Council emulate good practice from Manchester City Council and Leicestershire County Council in respect to their excellent partnership working with other statutory service authorities, public bodies and universities.

#### Context:

58. Paragraph 9.21 if the report referenced where sharing expertise and resources was seen to be cost-effective and ensured a joined up approach to service delivery and a commitment to innovation and excellence.

## Response

59. In an effort to improve the provision of services and performance of functions, the Council will take active steps to see what can be learned from other organisations, including those mentioned in the recommendation. In addition to this, the Council will maintain its well established track record of sharing both good practice and good and good experience with others.

### **Referral: Recommendation 18**

60. That the Council ensures its social care providers have a commitment to equalities including a specific LGBT+ Policy and that their staff have completed equalities training. The Council should look at ways it can assist signposting and embedding the Opening Doors London checklist for Social Care providers as a resource for providers who are unsure of how to improve provision.

## Context:

61. Paragraph 10.24 of the Report reference that The Committee were concerned about the experience of some older members of the LGBT+ community accessing services and in care homes.

## Response

62. As part of its Quality Assurance of care service provision, the Council routinely reviews evidence of staff training, including equalities training which is a requirement under the 'Skills for Care' framework. As part of quality assurance, officers interview both front line staff and managers about their approach to and management of specific scenarios including equalities related scenarios. Officers and lay visitors or experts by experience talk to clients about their experience of care staff and also observe staff interaction with clients to ensure that they are treated in a sensitive and respectful manner at all times. The Council will agenda the Open Doors London Checklist at the next series of care provider forums or contract monitoring meetings and discuss with them how they might use the checklist to improve their support to this community.

## **Referral: Recommendation 19**

63. That the Strategic Housing Team and the Cabinet Member for Housing should progress the work with Tonic Housing to scrutinise the viability of an LGBT+ Extra Care facility, and if appropriate, support progressing the project. This should be considered in the context of ensuring groups are integrated well with the Lewisham Community.

## Context:

64. Safer Stronger Communities Select Committee welcomed the idea of extra care housing facilities for the LGBT+ community given the concerns raised during evidence sessions and in recommendation 18.

## Response

65. Strategic Housing have been working with Tonic since the inception of their idea, supporting them in identifying possible sites in the borough. Strategic Housing have also worked with Tonic and the GLA to secure significant potential funding for the project. Officers are now working with them around a potential site and with the development of their care model with Adult Social Care and expect to be able to report further progress in the summer.

## **Referral: Recommendation 20**

66. That the Council increase the awareness of the specific LGBT+ youth provision in the borough by requesting other commissioned youth work providers and schools

regularly communicate details to their students/young people. The Council should encourage schools to reach out to the LGBT community to ensure their services are as robust an offer as possible. The Council should ensure it has a thorough understanding of the distances young people are travelling to access LGBT youth groups in order to identify if distance of provision is a hidden barrier to access. The Council should work with LGBT young people and commissioned providers to ensure that the provision available is meeting their needs.

## Context:

67. The Committee celebrated the fact that the Mayor and Lewisham Council continue to acknowledge the need for dedicated LGBT Youth Work provision and took a two-pronged approach to it through offering bespoke LGBT youth services in the borough and by ensuring an inclusive environment within other youth provisions.

## Response

68. The Executive Director for Children and Young People is committed to ensuring that all children and young people feel included and that the provision available to them meets their needs.
69. Lewisham Learning also have a focus on ensuring that all pupil groups achieve to their potential. In May 2017 the Lewisham Governors Association hosted their annual conference with a theme of 'inclusivity'. Mark Jennett (from [promotingequality.com](http://promotingequality.com) – author of NUT's 'Breaking the Mould') helped governors from across the borough to understand more about a number of equality and diversity issues, focussing in particular on the role of schools in being inclusive of all LGBTQ young people. He prompted all governors to consider the language that we use and the environment and culture we create. Some schools have already worked with <http://www.educateandcelebrate.org/> to develop their policy and practice. The Executive Director for CYP will continue to include information from partners about LGBT+ youth provision in the borough through our regular communications channels with schools.
70. The Council, in partnership with Lewisham Learning, will continue to raise awareness with schools of equalities issues and will consider the benefits of the LA becoming a Stonewall diversity champion (subject to funding being identified see: <https://www.stonewall.org.uk/get-involved/get-involved-education/local-authorities/education-champions>) and will explore and promote the benefits of schools becoming members of Stonewall's Education Champions programme.
71. Youth First, Lewisham Youth Services' provider, commission and partner with METRO to provide a range of services related to LGBTQ+ youth. METRO provide 29 workshops per annum across Youth First's and other partner's universal delivery to help young people explore their identity in the most general sense, including a focus on gender and sexuality. Ensuring young people learn to create their own identity in a safe and non-judgemental manner and learn how to accept and celebrate difference in others.

72. Alongside this for young people who recognise as LGBTQ+, METRO provide more targeted youth provision and support via their weekly youth group, Live. At the direction of Youth First this group now operates in Deptford. METRO also delivers an under-16s group, which is funded with other commissioners and meets in Woolwich, but which Lewisham young people under 16 are able to attend and directed to. Additionally, some young people from Lewisham can and do access METRO's other youth groups, e.g. Snap group in Bromley, Shine group in Greenwich. The choice is left up to the young people as to which they prefer.
73. METRO also work with YF to ensure youth workers are provided with the training and support to offer early intervention and referral where required for issues relating to LGBTQ+ young people.
74. Youth First's SLA with METRO includes an expectation and support to promote these activities including in schools and colleges. With mail outs to all schools and colleges every 6 months and weekly reminders of activities to young people who request them. Alongside this both Youth First and METRO use social media and the web to promote activities noting that they do so careful to protect young people's privacy.
75. Additionally, METRO delivers an anti-homophobic, biphobic and transphobic bullying programme to schools across South London and Kent. This is funded through the Government Equalities Office and Department for Education and provides a free and comprehensive programme for primary and secondary schools. A total of 25 schools are signed up to this programme, and to date work has been delivered in the following Lewisham schools - Conisborough College, Coopers Lane Primary School, Prendergast Ladywell school, Prendergast school, Horniman Primary school. This work provides an additional avenue to promote the Live youth group to professionals in the Borough.
76. We will however review our current promotions and seek to encourage all youth providers to help us promote and access this valuable resource.

## **Referral: Recommendation 21**

77. That the Mayor should request further work be undertaken to better understand the specific experiences and needs of Lewisham's Trans+ Community.

### **Context:**

78. The committee noted the limited evidence that was available locally on Trans+ needs and issues and that further work should be undertaken to ensure the needs and services of Trans+ people were fully met.

### **Response**

79. Under the auspices of the Council's Corporate Equalities Board, research on the Trans community was undertaken, by officers, in 2011. This will be revisited, updated and used to inform service planning and community engagement.

## **Financial Implications**

80. There are no direct financial implications arising from this report. However, if any of these recommendations are agreed and taken forward, there could be direct financial implications arising out of this report.

81. As a case in point, if the Council wishes to deliver outcomes similar to the benchmark of Leicestershire County Council, then Lewisham would need to employ an Equalities Officer. It is anticipated that this would be at least a P03 grade post, at a cost of £54,283.

## **Legal Implications**

82. The Constitution provides for Select Committees to refer reports to the Mayor and Cabinet, who are obliged to consider the report and the proposed response from the relevant Executive Director; and report back to the Committee within two months (not including recess).

83. The Equality Act 2010 (the Act) introduced a public sector equality duty (the equality duty or the duty). It covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

84. With reference to paragraph 27 of this Report, there remains in place an existing system for such appointments to be made by the Mayor.

85. In summary, the Council must, in the exercise of its functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- advance equality of opportunity between people who share a protected characteristic and those who do not.
- foster good relations between people who share a protected characteristic and those who do not.

86. It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation or other prohibited conduct, or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not. It is a duty to have due regard to the need to achieve the goals listed above.

87. The weight to be attached to the duty will be dependent on the nature of the decision and the circumstances in which it is made. This is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. The Mayor

must understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in all the circumstances.

88. The Equality and Human Rights Commission has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-codes-practice>

<https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-technical-guidance>

89. The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

- [The essential guide to the public sector equality duty](#)
- [Meeting the equality duty in policy and decision-making](#)
- [Engagement and the equality duty: A guide for public authorities](#)
- [Objectives and the equality duty. A guide for public authorities](#)
- [Equality Information and the Equality Duty: A Guide for Public Authorities](#)

90. The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice.

Further information and resources are available at:

<https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty-guidance#h1>

## **Equalities Implications**

91. The Council works to eliminate unlawful discrimination and harassment, promote equality of opportunity and good relations between different groups in the community and recognise and take account of people’s differences.

## **Crime and Disorder/Environmental implications**

92. Section 17 of the Crime and Disorder Act 1988, as amended, places a duty upon Local Authorities to consider crime and disorder implications and in particular, “to



exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.” This statutory obligation is the same for the Authorities “responsible partners” too. The level of crime and its impact is influenced by the decisions and activities taken through the day-to-day functions of local bodies and organisations.

## **Background papers**

Provision for the LGBT+ Community in Lewisham  
Safer Stronger Communities Select Committee  
December 2017

<https://www.lewisham.gov.uk/mayorandcouncil/overview-scrutiny/Overview-and-Scrutiny-Reports/Documents/LGBTProvisioninLewishamMandC140218.pdf>

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